

# The Legion Land

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of it "convened, in, say, half acre lots for permanent domicile or temporary camping locations" for veterans needing rest and recuperation.

The suggestions were never made as stipulations. The deed now held by LesAnn Associates makes no mention of Petersen's intentions for the land but merely describes the parcel of land and to whom it was bequeathed. Copies of the letter are known to still hang in the George Mealy Post and the Petersen Real Estate Office. The land was sold by the Legion in September 1977 to LesAnn Associates for \$135,000.

What transpired between 1942 and 1977 is not quite clear, however a cobbled history can be pieced together. Apparently more than a decade ago, the Legion land committee decided to sell the land, and attempted to do so in a number of ways — privately, and via the town.

John Burke, Legion commander in 1977, said the reason to sell the land was to accrue bank interest on the money made from the sale. "Year after year the land was brought up with the idea the money would go into scholarships off the interest," he said, for high school students.

"What we've done with it now, we're helping out kids, rather than just letting it sit there which just didn't seem right," he said. It has been mentioned that money was needed by the Legion to pay off renovation costs. However, Building Inspector James Litchfield said those building changes occurred before the sale of the land and were paid for as they were made.

Present commander Stephen Wigmore was unavailable for comment. Wigmore was questioned about the sale of the land by Health Agent Kevin O'Brien and if and when tests had been per-

formed there. Wigmore responded that he didn't know anything about it.

According to Pompeo, Peterson Realty, headed by Fred Wood and formerly run by Fred Petersen, son of August Petersen, had the Legion land on the market for 10 years. Wood is the son-in-law of Fred Petersen, who retired several years ago. He had no comment about the Legion land, insisting it was sold privately by the Legion and that "it was not on the market with Petersen Realty for 10 years." Petersen Realty sales manager Frank Pattison, said that as far as he knew the land was never on the market through Petersen Realty.

Fred Petersen, although disinclined to discuss the issue because of familial involvements, said that he was "disappointed with the disposition" of the land. He indicated that if there were any connections between the land and Petersen Realty, he wasn't aware of them because he has been retired from the firm for approximately 10 years.

"Tests were done on the land by some developer," Petersen recollects, of the Legion's sale efforts. "It didn't perc, they weren't able to unload it," he said. "My father was like Martin Luther King — he had a dream," he added.

The tests that Petersen alluded to were probably those of Paul Reynolds, a real estate appraiser and consultant from Braintree, which were performed several years ago and submitted to George Jednick, the former chairman of the Legion's land committee. They weren't percolation tests, however; they were test borings, which according to O'Brien "don't mean a hoot." Those borings showed that there was some but not all buildable land there, he said, on Reynolds' 56 lot plan.

Conservation Commission Chairman John Hubbard

agreed, in effect, that some of the land was developable. "It could stand some sensible development along the road," he commented, "but there are wetlands when you get in back. Some one should be watchdogging those developments."

Hubbard's dual feelings about the land reflected the attitude of the 1976 Conservation Commission which submitted an article pertaining to the land in the town warrant, anyway. The article asked the town to appropriate \$100,000 "to acquire by purchase eminent domain or otherwise from George H. Mealy Post No. 118 Legion, Inc. a certain parcel of vacant land for conservation purposes consisting of 70 acres, more or less, on the Northeasterly side of Forest Avenue." The article was defeated by a hand vote, Yes, 60 to No, 238.

No percolation tests had been performed at that time, nor have they been since, except on the four lots which were sold by LesAnn Associates where four homes were built by Alltown Construction Company during the past two years. Hubbard surmised that the townspeople questioned the extensive percability of the land, and that there was then the matter of the pricetag.

Pompeo said he was disappointed the land wasn't picked up by the town. "It was a very fair price, it would have made a beautiful park and recreational area. I'm very disappointed the town didn't buy it." He recommended there should be riding and bicycle trails and footpaths there so that people could enjoy the beauty of the woods. "Some day there will be," he said.

As for the land's percability, Pompeo responded that it would be "foolish to do a perc

# Cohasset Mariner

thursday, august 2, 1979



Members of the original Legion Land Committee: [L. to R.] Norman Card, Arthur Manheimer, August F.B. Petersen, Fred Roche, Nathaniel Hurwitz and William Morris.

test now" and indicated that he would wait for a higher water table to be established so that both perc and water table tests could be done together as they are costly. Pompeo is now sitting as chairman of the Board of Health, and when questioned about a possible appearance of a conflict of interest when Title V requirements on the land were reviewed by that board, he said he hadn't thought that far ahead.

Pompeo explained that percolation tests are performed by a licensed engineer and witnessed by the town's Health Agent. The Board of Health then decides if the application for a disposal permit meets the Title V requirements. Pompeo said he only intends to make one such application — for the home he intends to build for himself and his family on the land. What his position will be on the Board of Health at that time, he said, was "way ahead" of him.

O'Brien noted that nothing has come before the board concerning LesAnn Associates, but that if it did while Pompeo was a board member, he guessed that Pompeo would have to absent himself at those meetings. Hubbard expressed the same caution.

noting that "there could be a direct conflict of interest."

What about the land itself? A walk through approximately 40 acres of the land with Pompeo revealed lushness, ledge and a lot of small wildlife. One-third of the trees should come out, Pompeo said, according to the advice of state forester David Holster. Selective thinning and the planting of bushes will help attract more birds, he said.

"There is a fantastic variety of trees here," Pompeo said, enumerating hickory, maple, birch, hemlock, pine and more. He also rattled off the array of wildlife he has seen in the woods — foxes, chipmunks, pheasants, owls. He pointed out Colorado Rock, a portion of ledge so named because of its steep incline and pretty view from the top. All the while he stressed his desire to see the land used for recreational and conservation purposes.

Although LesAnn Associates have a plan approved for 33 lots for that same land, what will become of that plan, whether it will ever be developed to its fullest — in other words, whether 30 odd homes will appear there — is unknown.

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